

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO, EASTERN DIVISION - CLEVELAND

In re: ) CASE NO. 17-17361  
)  
RICHARD M. OSBORNE ) CHAPTER 11  
)  
Debtor ) JUDGE ARTHUR I. HARRIS

**NOTICE OF MOTION**  
**FOR RELIEF FROM STAY AND ABANDONMENT**  
**(Property Located at: 7472 Presley Avenue, Mentor, OH 44060)**

Center Street School Condominiums and Coachhouses Unit Owners' Association, Inc. ("Movant") has filed papers with the court under Bankruptcy Code §§ 361, 362, and 363, and other sections of Title 11 of the United States Code, under Federal Rule of Bankruptcy Procedure 4001, and under Local Bankruptcy Rule 4001-1 for an order conditioning, modifying or dissolving the automatic stay imposed by Bankruptcy Code § 362 and for abandonment. The preliminary hearing on this matter, if any is required, is set for **December 4, 2018 at 11:00 a.m.** in Courtroom 1A, Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, OH 44114 1235.

**YOUR RIGHTS MAY BE AFFECTED.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the Motion for Relief from Stay and Abandonment, then on or before November 27, 2018, you or your attorney must:

File with the court a written request for a hearing, or if the court requires a written response, an answer, explaining your position at:

Howard M. Metzenbaum U.S. Courthouse  
201 Superior Avenue  
Cleveland, OH 44114 1235

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

Darcy Mehling Good, Esq.  
Shannon M. McCormick, Esq.  
Kaman & Cusimano, LLC  
50 Public Square, Suite 2000  
Cleveland, OH 44113  
***Attorneys for Movant***

Daniel M. McDermott, Esq.  
Howard M. Metzenbaum U.S. Courthouse  
201 Superior Avenue, East - Suite 441  
Cleveland, OH 44114  
***U.S. Trustee***

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an Order granting that relief.

Date: October 31, 2018

Respectfully submitted

KAMAN & CUSIMANO, LLC

/s/ Shannon M. McCormick  
Darcy Mehling Good (0068249)  
Shannon M. McCormick (0084855)  
50 Public Square, Suite 2000  
Cleveland, OH 44113  
(216) 696-0650 / FAX (216) 771-8478  
Attorneys for Movant  
bankruptcy@kamancus.com

## **CERTIFICATE OF SERVICE**

I certify that on October 31, 2018, a true and correct copy of Motion of Center Street School Condominiums and Coachhouses Unit Owners' Association, Inc. for Relief from Stay and Abandonment was served.

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Frederic P. Schwieg on behalf of Debtor Richard M. Osborne at  
fschwieg@schwieglaw.com

Kelly M. Neal, Esq. on behalf of Creditor The Huntington National Bank at  
kelly.neal@bipc.com

Timothy P. Palmer, Esq. on behalf of Creditor The Huntington National Bank at  
timothy.palmer@bipc.com

Michael S. Tucker, Esq. on behalf of Creditor Citizens Bank, N.A. at  
mtucker@ulmer.com

Adam S. Baker on behalf of Creditor Michael E. Osborne, Sr. at  
abakerlaw@sbcglobal.net & at adam@bakerlaw.us & at abakerlaw@gmail.com

Gregory P. Amend, Esq. on behalf of Creditor First National Bank of Pennsylvania at  
gamend@bdblawn.com, grichards@bdblawn.com

Alison L. Archer, Esq. on behalf of Interested Party Lakeland Community College at  
alison.archer@ohioattomeygeneral.gov & at Trish.Lazich@ohioattomeygeneral.gov & at  
angelique.dennis-noland@ohioattomeygeneral.gov

Austin B. Barnes, III, Esq. on behalf of Creditor Tax Ease Ohio, LLC at  
abames@sandhu-law.com & at bklnotice@sandhu-law.com

Robert D. Barr, Esq. on behalf of Creditor Chicago Title Insurance Company at  
rbarr@koehler.law & at rbarr@koehler.law

David T. Brady, Esq. on behalf of Creditor Tax Ease Ohio, LLC at DBrady@Sandhu-  
Law.com & at bklnotice@sandhu-law.com

LeAnn E. Covey, Esq. on behalf of Creditor Bank of America, N.A. at  
bknotice@clunkhooose.com

Richard W. DiBella, Esq. on behalf of Intervenor Nationwide Mutual Fire Insurance  
Company at rdibella@dgmbllaw.com

Stephen R. Franks, Esq. on behalf of Creditor Bank of America, N.A. at  
amps@manleydeas.com

Stephen John Futterer, Esq. on behalf of Creditor City of Willoughby at  
sjfutterer@sbcglobal.net & at r43087@notify.bestcase.com

Melody Dugic Gazda, Esq. on behalf of Respondent Home Savings Bank, Successor by  
Merger to The Home Savings & Loan Company of Youngstown, Ohio at  
mgazda@hendersoncovington.com

Dennis J. Kaselak, Esq. on behalf of Claimant Diane M. Osborne at  
dkaselak@peteribold.com & at Cynthia@peteribold.com

Christopher J. Klym, Esq. on behalf of Creditor Ohio Department of Taxation at  
bk@hhkwlaw.com

Matthew H. Matheney, Esq. on behalf of Creditor First National Bank of Pennsylvania at  
mmatheney@bdblawn.com & at bhajduk@bdblawn.com

David M. Neumann, Esq. on behalf of Interested Party Zachary B. Burkons at  
dneumann@meyersroman.com & at jray@meyersroman.com & at  
mnowak@meyersroman.com

Kirk W. Roessler, Esq. on behalf of Creditor Estate of Jerome T. Osborne at  
kroessler@walterhav.com & at kballa@walterhav.com & at slasalvia@walterhav.com

John J. Rutter, Esq. on behalf of Creditor Mentor Lumber & Supply Co. at  
jrutter@ralawn.com

Frederic P. Schwieg, Esq. on behalf of Attorney Frederic P. Schwieg at  
fschwieg@schwieglawn.com

Michael J. Sikora, III, Esq. on behalf of Creditor Chicago Title Insurance Company at  
msikora@sikoralawn.com & at aarasmith@sikoralawn.com

Nathaniel R. Sinn, Esq. on behalf of Creditor First National Bank of Pennsylvania at  
nsinn@bdblawn.com & at kslatinsky@bdblawn.com

Rachel L. Steinlage, Esq. on behalf of Interested Party Zachary B. Burkons at  
rsteinlage@meyersroman.com & at jray@meyersroman.com & at  
mnowak@meyersroman.com & at rbain@meyersroman.com

Andrew M. Tomko, Esq. on behalf of Creditor Tax Ease Ohio, LLC at atomko@sandhu-  
lawn.com & at bk1notice@sandhu-lawn.com

Jeffrey C. Toole, Esq. on behalf of Interested Party Zachary B. Burkons at  
toole@buckleyking.com & at young@buckleyking.com & at  
heberlein@buckleyking.com & at toolejr82560@notify.bestcase.com

Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee at  
maria.d.giannirakis@usdoj.gov

Scott R. Belhorn ust35 on behalf of U.S. Trustee United States Trustee at  
Scott.R.Belhom@usdoj.gov

And by regular U.S. mail, postage prepaid, to:

Richard M. Osborne, Trustee, 7265 Markell Road, Waite Hill, OH 44094  
***Debtor***

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/s/ Shannon M. McCormick  
Darcy Mehling Good (0068249)  
Shannon M. McCormick (0084855)  
KAMAN & CUSIMANO, LLC  
50 Public Square, Suite 2000  
Cleveland, OH 44113  
(216) 696-0650 / FAX (216) 771-8478  
bankruptcy@kamancus.com